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NOTICE OF ALLOWANCE AND FEE(S) DUE

22971 7590 07/02/2008

MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WA 98052-6399

EXAMINER

TARAE, CATHERINE MICHELLE

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 07/02/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/401,439

09/22/1999

USAMA M. FAYYAD

115377.01

4688

TITLE OF INVENTION: DATA MINING FOR MANAGING MARKETING RESOURCES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1440

\$0

\$0

\$1440

10/02/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22971 7590 07/02/2008

**MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WA 98052-6399**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/401,439 09/22/1999 USAMA M. FAYYAD 115377.01 4688

TITLE OF INVENTION: DATA MINING FOR MANAGING MARKETING RESOURCES

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nonprovisional NO \$1440 \$0 \$0 \$1440 10/02/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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TARAE, CATHERINE MICHELLE 3623 705-010000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,439	09/22/1999	USAMA M. FAYYAD	115377.01	4688
22971	7590	07/02/2008	EXAMINER	
MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052-6399			TARAE, CATHERINE MICHELLE	
			ART UNIT	PAPER NUMBER
			3623	
DATE MAILED: 07/02/2008				

Determination of Patent Term Extension under 35 U.S.C. 154 (b)

(application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

09/401,439

Examiner

C. Michelle Tarae

Applicant(s)

FAYYAD ET AL.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communicated received March 24, 2008.
2. ☒ The allowed claim(s) is/are 1,6,7,10-13,15,17,19,20 and 58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

ALLOWANCE

1. The following is an Allowance in response to the communication received March 24, 2008.

Claims 1 and 58 have been amended.

Claims 1, 6-7, 10-13, 15, 17, 19-20 and 58 are now pending in this application.

Reasons for Allowance

2. Claims 1, 6-7, 10-13, 15, 17, 19-20 and 58 are allowed.
3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a method for managing a marketing campaign and machine-readable medium having instructions stored thereon for execution by a processor to perform a method, comprising: inputting to the data mining engine a predetermined set of characteristics including a predetermined set of user attributes likely to pertain to a product to which the marketing campaign is directed and, in response thereto, obtaining from the data mining engine a subset of the users in the database having the highest correlation to the characteristic by determining which of the segments found during clustering of the user database has the highest statistical correlation to the predetermined set of characteristics; determining in the data mining engine a set of prevalent attributes of the subset of users; defining a target database of users and determining in the data mining engine a target subset of users in the target database statistically correlated to the set of prevalent attributes; conducting a presently conducted marketing campaign cycle directed at the target

subset of users and observing and analyzing responses of the target subset of users to the presently conducted marketing campaign cycle at least partly in real-time; determining, in the data mining engine, a group of prevalent characteristics of a focused group of users; and defining a database to be mined and determining, in the data mining engine, a new set of users in the database to be mined whose characteristics are statistically correlated with the group of prevalent characteristics; determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Additionally, Applicant's arguments filed March 24, 2008 show that Keeler et al. (U.S. 5,613,041), the third reference used to teach the claim limitations, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.* These arguments are commensurate in scope with the independent claims and have been found persuasive.

The prior art references most closely resembling Applicant's claimed invention are as follows: Thearling (U.S. 6,240,411), Walter et al. (U.S. 6,334,110), Wrobel (U.S. 6,154,739), Almasi et al. (U.S. 6,260,036), Herz et al. (U.S. 6,571,279), Sheppard (U.S. 6,026,397), Lazarus et al. (U.S. 6,134,532) and Keeler et al. (U.S. 5,613,041).

Thearling teaches a system and method for integration of campaign management and data mining. However, Thearling does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Walter et al. teaches a system and method for analyzing customer behavior based on the time when the behavior occurs. However, Walter et al. does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Wrobel teaches a method for discovering groups of objects having selectable characteristics from a population of objects. However, Wrobel does not expressly

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disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Almasi et al. teaches a method and system for retrieving and organizing data using a self-organizing map. However, Almasi et al. does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Herz et al. teaches optimizing a match between information purveyors and information recipients. However, Herz et al. does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Sheppard teaches analyzing data records with each data record having a plurality of parameters and then segmenting the records according to the analysis. However, Sheppard does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Lazarus et al. teaches selecting and presenting personally targeted entities based on tracked observed user behavior. However, Lazarus et al. does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.*

Keeler et al. teaches a method and apparatus for operating a neural network with missing and/or incomplete data. However, Keeler et al. does not expressly disclose the combination of limitations as disclosed above and particularly, does not disclose determining, in the data mining engine, a complete set of statistically prevalent user attributes of the subset of users; *for any member of the subset of users having certain attributes which are undetermined in the user data base, filling in the certain*

undetermined attributes with the corresponding ones of the complete set of statistically prevalent user attributes of the subset of users.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Mena, Jesus. "How to mine data on the Web. (includes related article on data collection techniques) (Drilling for Data) (Internet/Web/Online Service Information)(Cover Story)," *Databased Web Advisor*, July 1997 discusses data mining techniques and forming statistically significant clusters of data;
- Steeg (U.S. 6,493,637) discusses detecting coincidences in datasets;
- Heckerman, David. "Bayesian Networks for Data Mining," *Data Mining and Knowledge Discovery*, 1997 discusses data mining techniques;
- Ling et al. "Data Mining for Direct Marketing," *Department of Computer Science The University of Western Ohio*, 1998 discusses data mining techniques for marketing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren, can be reached at 571-272-6737.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. Michelle Tarae/
Primary Examiner, Art Unit 3623

June 19, 2008